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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

THE SECRETARY - ROOM 222

25 FEB 1993

IN REPLY REFER TO:
7330-7/1700A3

RECEIVED

MAR -9 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Phil Gramm
United States Senator
2323 Bryan Street, Suite 1500
Dallas, Texas 75201

Dear Senator Gramm:

This is in reply to your letter of February 10, 1993, in which you inquired on behalf of your constituent, Joseph D. Davis, Jr., regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Davis is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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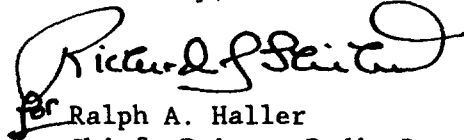
Honorable Phil Gramm

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller". The signature is fluid and cursive, with a large initial "R".

for Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Order
Discussion paper

CNTL NO - 9300645

cc:
Chief, PRBureau
Chief, LM&M Divison
Docket Files, Room 222
P&P Branch File (Pink)

DFertig/RShiben:/gb/lm:PR

Congressional

DUE OBC: J-25-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/17/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300645	02/17/93	02/10/93	03/02/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Phil Gramm	BC

CONSTITUENT'S NAME	SUBJECT
Joseph D Davis Jr	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/Lmm 2-18-93			
DATE	DATE	DATE	DATE
02/17/93			

REMARKS: Respond to the attention of Georg'a Brown in the
Dallas, TX office.

Phil Gramm
Texas

United States Senate

MEMORANDUM

Date:

2/10/93

PRB
92-235
645

**Federal Communications Commission
Office of Congressional Affairs
1919 "M" Street, NW
Washington, D.C. 20554**

A constituent has sent the enclosed communication. A response which addressed his/her concerns would be appreciated.

Please send you response, together with the constituent's correspondence, to the following address:

**Office of Senator Phil Gramm
2323 Bryan Street, Suite 1500
Dallas, Texas 75201**

Attention: Georg'a Brown

February 4, 1993

FEB 05 1993

The Honorable Phil Gramm
United States Senator
2323 Bryan Street, Suite 1500
Dallas TX 75201

Re: PR Docket 92-235

Dear Senator Gramm,

I am a member of the Academy of Model Aeronautics and have invested not only a great deal of my financial resources but a large amount of time and effort into the radio equipment, engines and model aircraft.

Our radios and receivers already have been modified for a narrow band pass to limit interference from our existing adjacent frequency for safety and reliability of flight.

The Federal Communications Commission has issued a Notice of Proposed Rule Making (NPRM-PR Docket 92-235) which if implemented will have a profound effect on model frequency use. Developed by the FCC Land Mobile Service, it creates a massive frequency restructuring--the first of its type in 60 years.

This document addresses frequency use in another service (Part 88) but will also affect Part 95 where our RC frequency use lives. Without becoming too technical, the restructuring inserts two new frequencies between those presently assigned for modeling use and commercial users. That means we could have a transmitter almost four times the power output of ours, only 2.5 kHz away from a large number of our 72 and 75 MHz frequencies.

In the 72 MHz band, thirty-one of our frequencies would be bracketed, principally in the lower end of the band (below Channel 42). A similar condition would exist in the 75 MHz band. Two examples of the frequency placing would look like the following:

Page 2

Model Channel 14	72.070 MHz
New insert	72.0725 MHz
New insert	72.0775 MHz
Present Commercial	72.080 MHz
New insert	72.0825 MHz
New insert	72.0875 MHz
Model Channel 15	72.090 MHz

OR

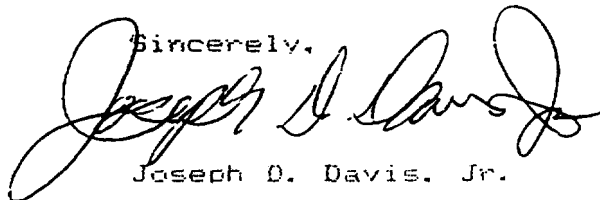
Model Channel 62	75.430 MHz
New insert	75.4325 MHz
New insert	75.4375 MHz
Present Commercial	75.440 MHz
New insert	75.4425 MHz
New insert	75.4475 MHz
Model Channel 63	75.450 MHz

Not only are these new frequencies very close to ours they are also designated as "mobile"; therefore, we would never know where they are operating, including right in the pit area at our flying site, or on the street and highway nearby. In addition, the technical specifications for the new equipment allows a legal frequency tolerance which could place their signal directly on ours!

Since the proposed new frequency is so close, interference will occur and render most model frequencies unusable.

Your vote against the proposal and influence on others would be greatly appreciated.

Sincerely,



Joseph D. Davis, Jr.

1228 West Cheryl
Hurst TX 76053